Scott. IT-27—35,006—27-10-33

Development (1934) Department.

Ms. SERIES.

G.O. No. 1065

DATED 28/7/34

[Despatch Abstract.]

Fisheries - Memorials — Teachers

R. Thamappa and

T Muthappa —

Orders issued

Jo no	239	Pub Sec	d 12834
u	311	u	12433
u	1160	Dw	278.32
u	1167	u	13137
u	714	u	1165 27
u	26	u	9128
u	303	u	26225
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D. 809 II
2.3.34.

C.F. 30

FISHERIES / DEPARTMENT.

eived ..... 19 *Registered* 19

Subject.

Education - Establishment - Teachers -
U. Thaniappa and T. Muthappa - Memorial to Government.

ENCLOSURES.
No. Two -
.....
Spare copies .....

Ref. No. 215 C/34-1

Station Madras, *Dated the* 26th February 1934.

From (Name) Dr. B. Sundara Raj, M.A., Ph.D.,
(Designation) Director of Fisheries,

To The Secretary to the Government of Madras,
DEVELOPMENT Department

Sir,

I enclose the memorials of U. Thaniappa, Assistant teacher, Fisheries School, Kodi, and T. Muthappa, Assistan teacher, Fisheries School, Malpe, addressed to Government.

2. The memorials are identical except in certain minor details. The memorialists argue that their admission into the Training School at Mangalore is not quite in keeping with the spirit of the bond entered into by them. That the pupil teachers from South Kanara district admitted as stipendaries in the Fisheries Training Institute at Calicut should first be given training in the Trainng School at

p.t.o.

2

Mangalore before they are taken in the Fisheries Training Institute for their third year's course was ordered in G.O.No.[illegible], Miscellaneous Development dated 26th February 1926. The delay in taking the memorialists in the Fisheries Training Institute for the third year's course was due to there not being a sufficient number of pupil teachers for forming a class. In G.O.No. Miscellaneous 714 Development dated 16th May 1927, the Government have authorised me to depute whenever necessary teachers already in service for the Fisheries Training Institute course paying them only the usual stipends. When the present memorialists were taken for the third year's course at the Fisheries Training Institute they asked for leave pay and full stipend and failing in that attempt they asked for exemption from this training. These applications were rejected by me.

2. H. Hydros referred to in para 12 of the Memorials of Thimappa and Muthappa was confirmed along with eight other teachers as per G.O.No. 1160 (Miscellaneous) Development dated 27th August 1926. When the memorialists were declared to have failed in the Fisheries Training Institute final examination, they were regarded as unemployed and paid as such in accordance with the practice obtaining. They then petitioned for exemption from passing this examination and this could not also be granted.

2. The memorialists are not entitled for any relief.

I have the honour to be,

Sir,

Your most obedient servant,

B. Sambamurthy

Director of Fisheries.

K.V.

OFFICE OF THE INSPECTOR OF FISHERIES
28 DEC 1932
MANGALORE

S 9 A 134

U.
1174

BEFORE THE HONOURABLE MINISTER

FOR DEVELOPEMENT

GOVERNMENT OF MADRAS

S.9A134

M A D R A S.

Through,

The proper channel.

Humble Memorial of U. Thaniappa, Assistant Teacher, Fisheries School, Kodi, Sasthan, South Kanara.

Respectfully Sheweth as follows :-

1. That the Humble Memorialist joined the Fisheries Department as a Higher Grade pupil teacher on 1-7-1925, immediately after he had to discontinue his studies on account of poverty. Being a man of the Fishermen community he thought that by joining the Fisheries Department, he would get all the concessions and benefits which his backward community would derive at the hands of the benign Government.

2. He went for Teacher's training as a stipendiary of the Fisheries Department executing a bond in the usual form with certain reciprocal obligations. One of the terms was that he should undergo training in Fisheries Training Institute for a period of three years drawing a total stipend of Rs.456/-.

6. In simple obedience to the Superior orders this memorialist went to Calicut, but he applied for exemption from that course as he had put in more than five years satisfactory service in the Schools and also other teachers who had undergone the two years training at Mangalore with Government stipend and who had put in less service in this Department were exempted from the third year's course at Fisheries Training Institute which he was required to undergo. But the Director of Fisheries was not pleased to exempt this memorialist.

7. This memorialist accordingly underwent the last year's course in the Fisheries Training Institute from August 1932 to June 1933, and unfortunately he was not able to secure pass marks in three subjects. This misfortune was the result of the ill-luck of his in getting bad materials in Carpentary, of which a note was made by the Superintendent at the examination. He was getting above 50 per cent in Socio Economics and Zoology and more than 80 per cent in Carpentary in the Class examination while he was declared to have failed in those three subjects.

8. Immediately after the examination in June 1933, memorialist came back and resumed his place in Kodi as assistant of Fisheries School there. Though, on account of his 5 years service after training and his drawing Rs.30/- per month at the time he was entitled to get the same amount during the period of training at Calicut, he was given only at the rate of Rs.10-8-0 per month which is in violation even of the terms of the bond executed by him in 1925. Besides this hardship, he was informed in August 1933 that

on account of his non-completion of the last year's course he would be entitled to draw only at the rate of Rs.20/- per month on the grade of untrained teachers from the date of joining duty after training.

9. Being highly aggrieved by this double punishment, the memorialist approached the Assistant Director of Fisheries with a petition requesting him to exempt him from the final examination and to allow him to draw at the rate of Rs.30/- at least per month which he was entitled to and was drawing prior to his selection to the final year's course at Calicut. To the great misfortune of the memorialist, the Director was not pleased to grant either of the prayers, and hence this memorial is submitted in the hope that the prayers of a singularly unfortunate person will be favourably considered at least by the Benign Government.

10. This memorialist begs to submit that the petitioner is now 28 years of age, with a family consisting of an old mother and a wife. He has no other means of living except the teachers profession. He joined the Fisheries Department as a bachelor and after he finished his training course at Mangalore and was admitted to the scale of pay of Rs.25-1-50, and then he got married. With the increase in pay, his family expenses also increased, so that when he was called upon to go to Calicut, he had to leave his poor dependants helpless besides undergoing hardships himself on account of the low stipend with cut, that was given him at Calicut a place about 200 miles away from his native place.

11. If according to the terms of the bond which he entered with the Government in 1925, he was required to

finish the final year's course soon after he finished the two years course at Mangalore, he would not have been subjected to any hardship. According to the bond, he was to undergo three years course continuously in Fisheries Training Institute and draw Rs.456/- as stipend. Government being unable to act according to the bond, wanted this memorialist to undergo training at the ordinary teachers Training School at Mangalore. As he has successfully undergone this training, he is at least on the same footing as the other ordinary teachers trained only at Mangalore, now exempted for confirmation in the Fisheries Department.

12. The memorialist begs to submit that he has got a special claim to the exemption that he prays for, on account of the subsequent happenings in the Fisheries Department. After this memorialist finished his training course at Mangalore and joined service with liberty to draw increments, some other ordinary teachers, (one of whom is H. Hydrose) were taken to this Department as trained teachers and they were exempted from the final year's course at Calicut and admitted to the permanent grade of Rs.25-1-50. It is humbly submitted that these people have no better qualifications than this memorialist, while he has to his credit more service in the Department after training.

13. This memorialist humbly submit that he is better entitled to the exemption, he prays for, than those who were subsequently entertained, while their qualifications are the same if not inferior. To the great misfortune of this memorialist, the Director was not pleased to consider this aspect of the prayer while he refused to grant the exemption

stating that the exempted persons stood on a different footing.

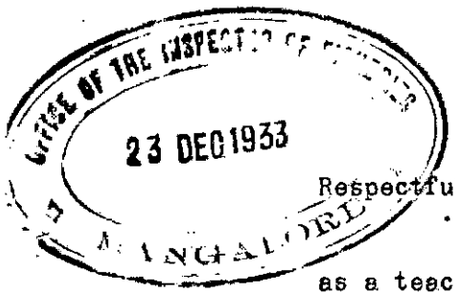
14. This humble memorialist begs to submit further that he is specially aggrieved and subjected to great hardship, his being treated now as an untrained teacher and allowed to draw only at the rate of Rs.20/- per month, as against the Rs.25-1-30, that he was drawing from 1927 to 1932. At the time he was called to the training, he had earned an increment of Rs.5/- over the Rs.25/- that he was started with. Even according to the bond executed by him, he has put in the required 5 year's service as a teacher. He was discharging the duties of an assistant all those years to the entire satisfaction of the superiors. To treat him now as an untrained teacher and place him in the grade of raw teachers on Rs.20/- is really a hard position for a man that had undergone the teachers training and had served for several years in the Department.

15. Even if the failure of this memorialist in the last year's course should stand as a cause for some difference, it cannot bring him back to the position of a raw untrained teacher who enters the profession for the first time. Even if the failure at the Calicut examination should be a barrier, it can only operate to stop further increment till the candidate passes or obtains exemption. It is humbly submitted that equity, justice and fairness require that the memorialist should be left at least where he was, if he should be deemed not qualified for further promotion till he attains the further qualifi-

cation

Before the Honourable Minister
for Development Department,
Government of Madras,
M a d r a s .

Through
The Proper Channel.



Humble memorial of T.Muthappa,
Assistant Teacher, Fisheries School,
Malpe, South Kanara, Dated 22nd Dec.1933.

Respectfully Showeth as follows :-

That the humble memorialist joined the Fisheries Department as a teacher on 3-9-1923 immediately after he discontinued his studies after passing the third form. Being a man of the Fisherman community, he thought that by joining the Fisheries Department, he would get all the concessions and benifits which his backward community would derive at the hands of the benign Government.

He was entertained as an untrained Higher Elementary grade Teacher on a salary of Rs.20/Rs per mensem in 1923 and was serving as such till 30-6-1925 when he was selected for Teacher's training. He went for training as a stipendiary of the Fisheries Department executing a bond in the usual form with certain reciprocal obligations. One of the terms was that he should undergo training in Fisheries Training Institute for a period of three years drawingatotal stipend of Rs.456/-

The memorialist begs to submit that this condition could not be acted upon by the Government as the Fisheries Training Instute then in existence at Calicut could not admit of students from South Kanara whose vernacular was Kanarese, and so in violation of the condition or rather in modification of the same the Kanara students who had executed the bonds were asked to undergo training in the Training School at Mangalore for two years.

A According to the modified conditions this memorialist underwent the two years Training at Mangalore and passed the prescribed final public examination in March 1927 expending in all about Rs.250/- out of the amount mentioned in the bond.

For want of proper arrangemnts at the Fisheries Training Institute at Calicut for the Kanara students to undergo the third year's course there, this memorialist was atonce entertained as a trained teacher by the Fisheries Department on 4th April 1927 admitting him to the then existing scale of pay of Trained Teachers viz Rs.25-1-50. This measure of the Government was proper and legal and was in confirmity with the modifications effected by the Government in the terms of the bond. The memorialist was serving as a Trained Teacher in various Fisheries Schools as Head Master ever since 4-4-1927 earning every year increments at the rate of Rs.1/- per year. In 1932 when this memorialist had put in a continuous service of 5 years and 4 months and was drawing his pay at Rs.30/- per month and being the Head Master of the Malpe Fisheries School, he was suddenly called upon to undergo the 3rd years training at the Fisheries Training Institute at Calicut.

In simple obedience to the superior's orders, this memorialist went to Calicut but he applied for exemption from that course as he had put in more than 5 years satisfactory service in the schools and also other teachers who had undergone the two years training at Mangalore with Government stipend and who had put in less service in this Department were exempted from the 3rd yeers course at Fisheries Training Istitute which he was required to undergo. But the Director of Fisheries was not pleased to exempt this memorialist.

This memorialist accordingly underwent the last years Course in the Fisheries Training Institute from August 1932 to June 1933 and unfortunately he was not able to secure pass marks in two subjects. This misfortune was the result of the ill-luck of his in getting bad materials in Carpentry of which a note was made by the Superintendent at the ~~xxx~~ examination. He was getting above 60 % in Fisheries Science and more than 80% in Carpentry in the class examinationswhile he was declared to have failed in those two subjects at the final examination.

Immediately after the examination in June 1933, the Memorialist came back and resumed his place in Malpe as Head Master of the Fisheries School there. Though on account of his 5 years service after training and his drawing Rs.30/- per month at the time he was entititled to get the same amount during the period at Calicut, he was given only at the ~~x~~ rate of Rs.10/8/- per month which is in violation even of the terms of th e bond executed by him in 1925. Besides this hardship, he was informed in August 1933 that on account of his non-completion of the 3rd year's course he would be entitled to drew only at the rate of Rs.20/- per month on the grade of untrained Teachers from the date of joining duty after training.

Being highly aggrievd by this double punishment the memorialist approached the Director of Fisheries with a petition requesting him to exempt him from the Fisheries Training . To the great misfortune of the memorialist, the Director of Fisheries was not pleased to grant his prayers. and hence this memorial is submitted in the hope that the prayers will b e favourably considered at least by the benign Government.

This memorialist begs to submit that the memorialist is now 31 years of age with a family consisting of an old mother and a wife and two children. He has no other means of living except the teachers profession He joined the Fisheries Department as a bachelor and after he finished his training course at Mangalore and was admitted to the scale of pay of Rs.25-1-50-. and then he got married. With the increase in pay his family expenses also increased, so that when he was called upon to go to Calicut, he had to leave his poor dependents helpless besides undergoing hardships himself on account of the low stipend with cut, that he was given at Calicut a place about 200 miles away from his native place.

If according to the terms of the bond which he entered into with the Government in 1925 he was required to finish the final years course soon after he finished the two years course at Mangalore he would not have been subjected to any hardships. According to the bond he was to undergo 3 years course continuously in the Fisheries Training Institute and draw Rs.456/- as stipend. Government being unable to act according to the bond wanted this memorialist to undergo training at the ordinary teachers training school at Mangalore. As he has successfully undergone this training he is atleast on the same footing as the other ordinary teachers trained only at Mangalore,now exempted for confirmation in the Fisheries Department.

The memorialist begs to submit that he has got a special claim to the exemption that he prays for on account of the subsequent happenings in the Fisheries Department. After this memorialist finished his training course at Mangalore and joined service with liberty to draw increments, some other ordinary teachers(one of whom is H.Hydrose, present Head Master of Shri Jnanodaya Fisheries School, Mangalore) were taken to this Department as Trained Teachers and they are exempted from the 3rd year's course at Calicut Fisheries Training Institute and admitted to the permanent grade of Rs.25-1-50. It is humbly submitted that these people have no better qualifications than this memorialist while he has to his credit more service in the Department both before and after Training.

This memorialist humbly submits that he is better entitled to the exemption he prays for, than those who were subsequently entertained while their qualifications are the same if not inferior. To the great misfortune of this memorialist, the Director of Fisheries was not pleased to consider this aspect of the prayer while he refused to grant the exemption stating that exempted persons stood on a different footing,.

This humble memorialist begs to submit further that he is specially aggrieved and subjected to great hardship by his being treated now as an untrained teacher and allowed to draw only at the rate of Rs20/- per month, as against Rs.25-1-30.that he was drawing from 1927 to 1932. At the time he was called upon to the 3rd year's training he had earned an increment of Rs.5/- over the 25 that he was started with. Even according to the bond executed by him he has put in the required 5 years service as a teacher. He was discharging the duties of a Head Master all these years to the entire satisfaction of the superiors. To treat him now as an untrained teacher and place him in the grade of raw teachers on Rs.20/- is really a hard position for a man that had undergone the Teachers Training and had served for several years in the Department.

Even if the failure of this memorialist in the last years course should stand as a cause for some difference, it cannot bring him back to the position of a raw untrained teacher who enters the profession for the first time. Even if the failure at the last years examination should be a barrier, it can only operate to stop further increments till the candidate passes or obtains exemptions. It is humbly submitted that equity, justice and fairness require that the memorialist should be left at least where he was if he should be deemed not qualified for further promotion till he attained the further qualifications. It is prayed and fondly hoped that this unfair treatment of this unfortunate memorialist may be specially cosidered and he be generously allowed to get his pay atleast at Rs.30/- from June till he either gets the exemption or till he passes in the other two subjects in which he is found not to have passed.

This memorialist prays in conclusion that his prayer regarding the exemption and regarding his pay from June 1933 may be kindly considered by the benign Governemnt so that the memorialist may be enabled to save himself and his poor dependents from starvation in these hard days of economic depression,

For which act of benevolence, the memorialist ever begs to pray.

Your most obedient servant,

22.12.'33.

Assist Teacher.
Malpe Fisheries School.

Submitted to the Inspector of Fisheries,
Northern Section,
Mangalore.

Fisheries School,
Malpe.
22nd December '33

Head master.
22/12/33

P.T.O

13

59A/34

23

Endt. Ref No. 1133 - 33
26 - 12 - 33

Submitted to the Assistant Director of Fisheries (c).

60A/34

Nagappa
26 - XII. 33
Overseer of Fisheries
Mangalore

14

25

Dev. 2141-R-34
18.6.34

No. 682

ASSISTANT SECRETARY TO GOVERNMENT
6 - JUN 1934
DEVELOPMENT DEPARTMENT

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

Received here at 16 H. 5 M.

ASSISTANT SECRETARY TO GOVT.
18 JUN 1934

14/L

TO PA HUNGARCUTTA 1 12 HONOURABLE MINISTER

DEVOLOPMENT MADRAS

PRAYING FAVOURABLE ORDERS MEMORIAL FISHERM

TEACHER = THANIAPPA =

Dev

This form must accompany any inquiry respecting this Telegram.

Karim Bux Bros., Printers, Calcutta—1314 (B-226)—21-2-33—30,000 Bks.

Dev Dept

To PS.

Submitted for perusal. This enquiry added to the enquiry file sent to Fisheries on 16.6.34.

RS
21.6.

manifile
CM0509 II/34.

D. 2384 II
10.7.34 C/Fn

Do.

11 JUN 1934

FINANCIAL

To

The Honourable Minister for
Development Department,
Government of Madras,
Madras.

OFFICE OF THE ASST. DIRECTOR OF FISHERIES (COAST)
D 895-F/34
15 JUN 1934
CALICUT

From,
J. Mathappa.
Assistant Teacher.
Govt. Fisheries School, Malpe.
South Kanara.

Through,
The proper channel.

Ref:- My memorial dated 22nd December 1933.

Respected Sir,

Pray be good enough to sympathetically consider my memorial submitted as far back as 22-12-1933 at your earliest convenience and favour me with your esteemed orders.

I beg to remain,
Respected Sir,
your most obedient servant,
J Mathappa
8.6.34
Assistant Teacher.

Malpe.
Dated 8.6.34

Submitted
J Krishnan
8/6/34
Head master

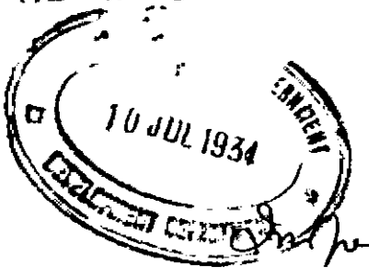
Govt. Fisheries School,
Malpe.
8th June 1934.

P.T.O.

P.T.O

Endt ref no. 432/34 dt. 2. 6.
10 - 6 - 34

submitted to the Asst Director of Fisheries (coast)



Telegraphic
10. 6. 34
Inspector of Fisheries
Mangalore

Endt. No. SPF/34 & 9 18. - 6 - 34.

Submitted to the Director of Fisheries, Madras.

K. Hiranmaya Menon
18/6/34
Assistant Director of Fisheries
(Coast)

17/6.

Endt. no Ref. 215 C/34-3
9.7.34

Submitted.

2 The memorial enclosed to is one of those sent to Government with my letter Ref no 215 C/34-1 of 26/28 June 1934.

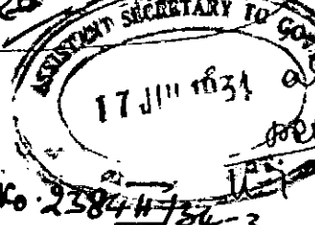
B. Sundara Raj
Director of Fisheries.

To
The Secretary to Government,
Development Department.

Dev Dept

Dft
22/6

Rai 27.6.34



16429

Dev. Dept. G.O. No. 2384 H/34-3
17.7.34.

The onam file 1500809 D/34 was sent to Public(Sec) on 16.6.34. This may also be sent to that dept. with the request to seperate onam file with their remarks as early as possible

Ln
11.7

RR
13.7.34

Public(Sec)

17

Home Deptt

Subject: Education - Establishment - Teachers, Bhangarh and Mukteshwar - memorial.

D.O. No. 5091/32

To Hd.

Please see the memorials and the H.A.'s remarks thereon in the Cf.

2 The prayers of the memorialists are (a) that they should be exempted from passing the third year examn. at the Teachers' training with[illegible] and (b) that they should be allowed to draw Rs 30/- in the scale of Rs 20-1-30 without further increment till they either get the exemption or till they pass the 3rd year examn in the J.T.I in the subjects in which they have failed.

3 It is submitted that these memorialists have already had for either two, 3rd year sessions at the J.T.I and failed in certain subjects. It would then be easy for them to disappear once and get through. No exemption seems called for as they did the misdeeds of one

× Paras 3-12 of Cf
⊙ Paras 1-2 of Cf

Paras 12+13 of Cf-8 of Cf

Para 11-12 of Cf

Paras 14-15 Paras 8-9 of Cf

Paras 5-7 of Cf

30

H. Hydrose who was exempted from passing the 3rd Year exams at the T.I. and request that they should be exempted as well in view of their similar services and qualifications. It is submitted that Hydrose was exempted in 1932, along with 8 others — vide Para 1 of Do. 1160 Dev 27 & 32 — S

It is presumed that the D.I. did not include the names of the two memorialists in his list at Para 2 ante for the reason that they were to be drafted from the Training institute.

~~It requires consideration~~ They are allowed to draw only Rs 20/- after their failure at the T.I. Kandy until such time that they pass the exam. This is the main hard. The memorialists may therefore be allowed to draw Rs 30/- the pay they have been drawing before they were drafted from T.I.

~~Submitted for orders.~~ J

Thaniappa was teacher from 4-4-1927 to 3.8.1932 (5y. 4m)
Muthappa was teacher from 4-4-1927 to 3.8.1932 (")
They underwent training in the Training Institute during 1932-1933.
and reported after training as teachers.
The Statutory rules prescribing ~~the~~ qualifications

19

for Teachers in the Fisheries Schools came to force in September 1929. long after they were appointed These rules will not therefore be applicable to them However they have undergone the course in the Fisheries Training Institute and a pass in the examination at the end of the course may not be insisted on. They may be confirmed if their services are found quite satisfactory in the 1st scale 25 - 1 - 50 with effect from the date of their reappointment after Training at Calicut

Public (V) may be requested to state whether the D.F. may be confirmed accordingly.

The D.F. does not recommend the confirmation of these two men. They have been working since 1927 as teachers except for a year in 1932-33 when they underwent the training in the F.T.I. They did not pass the examination at the end of the training. There is no legal objection to their confirmation but the D.F. does not state his opinion about their work as teachers. The D.F. may be told that if he is satisfied with their work, he may confirm them and that it is unnecessary to consult them now for passing the exam

RK
83/84 Sec.

I do not quite understand how it is they have had to revert to lower scale of pay.

132

A 20

To Asst. Secretary

The Director reports:

The pay of an untrained teacher of the higher elementary grade is Rs.20 p.m. vide proviso to Rule 5(x)(ii) of the Fisheries Subordinate Service. The memorialists were treated as untrained teachers of the higher elementary grade and paid as such.

Proviso to Rule 5(a)(x)

~~Rule 5(x)~~ ~~(ii)~~ does not regulate the pay but it is the proviso to Rule 8. According to this Rule, a teacher appointed under the proviso to Rule 5(x)[redacted] shall be paid , if he holds a trained teacher's certificate of any grade, a monthly rate specified in the ~~Rules~~ Annexure to the Rules for a trained teacher of the corresponding grade. If he is untrained, a pay calculated at Rs.20. The momorialists passed the training school examination at Mangalore and should therefore be deemed to have been trained teachers and paid the scale of pay sanctioned for the teachers holding the Trained Teacher's certificate of the Fisheries Training Insitute and not as an untrained teacher. ~~recruited~~ If they are considered ~~commenced~~ to have been admitted to the course only in June 1933, according to the recent amendment of the Rules, they are allowed to obtain the certificate of the Fisheries Training Institute ~~and may therefore be continued till~~ within five years of their appointment ~~if they are considered to be new recruits to the Fisheries Subordinate Service~~.

But it does not appear that they can be ~~retrenched~~ treated as ~~new~~ probationers in the service. As pointed out on page ~~1~~ 2-3 supra, they were recruited to the service before the issue of the statutory rules. According to the practive then obtaining, a pass in the third year examination of the Fisheries Training Institute was~~n't~~ insisted on for confirmation as teachers. The pupils who completed the two years training at Mangalore were confirmed as teachers and were subsequently sent for training to Calicut - vide para.1, page 2 of G.O.No. 714 Dev

dated 16-5-1927- Presumably in accordance with this practice, the memorialists were also employed as teachers and sent to Calicut for training in 1932. Their case may therefore have to be governed by the practice in vogue at the time of their entertainment. Moreover teachers with ordinary training who were entertained after them have been confirmed without even further training in the Fisheries Institute. In these circumstances, it would seem that the memorialists should be retained permanenly and on the old scale of pay which they had been receiving before they were deputed to the Fisheries Insitute Calicut.

These men need not be furnished at this stage as they have completed the Training course at Calicut though they failed to secure a pass. Men similarly circumstanced have on the same footing been confirmed. The Public may be consulted

Public

Subs (1), Dept

Subject that Govt may be asked to put up the following papers

(1) Ro. 303 dated 26.2.28 referred to at top of p 2 CR

(2) Ro 26 dated 9.1.28

(3) Orders which were in force

6/34

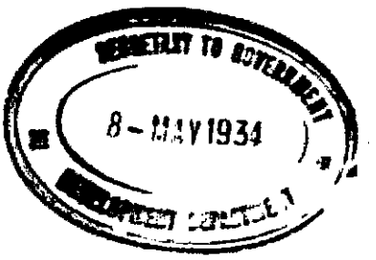
N

prior to the issue of the Statutory Rules relating to training, appointment, probation, if any, and confirmation of these teachers

(4) the terms of the bond executed by the petitioners and how they were modified later

2/ Dev may also be requested to ascertain why the petitioners were not included in the list sent by the Director in 1932 while those appointed later than the petitioners were included

Pub (Edn) u.o 10925/34-1 8-5-34



Dev

Received 8/5/34

D. 1697 II 8.5.34

Dev Dept.

Telephone message from the Superintendent, Dev. to the P.A.to D.F. dated 12-5-34.

Ref:Para 2 of Director's letter No.2150/34-1 dated 26-2-1934 Establishment - Memorials from Thaniappa and Muthappa.

--

Please say why the names of the two memorialists were not included in the list submitted in the Dir's letter No.1530/32-3 dated 2-2-1932 disposed of in G.O No.1160 Dev. dated 27-8-1933.

Reply dated 9-6-1934.

The list referred to is the list of ordinary trained teachers holding temporary and acting posts referred to in clause (c) of Director's letter D.Dis.

D.Dis.No.2937-C/31 dated 11-12-31 in reply to Dev. Memo. No.2075-IV/31-1 dated 22-10-31. The memorialits are teachers admitted to the Fisheries Training Institute for training who underwent 2 years training at Mangalore

Dy Asst Secy

Please see the Pub (Ser.) depts note on pages 5-6 ante and the T.O. to PP to Dy and his xply above

2. Go no 303 Dev dy 26.2.25 and Go no. 26 Dev dy 9.1.28 are put up at (K) and (L) respectively

Items (3) & (4) Pub note p 5 ante. There does not appear to be any special orders prior to the issue of the Statutory Rules in regard to the training, appointment, Probation and confirmation of these teachers other than those that were applicable to other Govt servants and the conditions contained in the bond executed by these teachers copy vide p 5-8 of Go no. 2260 Dev dy 22.12.20 (M) (P) The bond was amended vide Go no 1647 dy 13.11.31.

3 Para 2 of Pub note p 6 ante The reason for not including the names of Thanicappa and Kuttappa in the list is given in the T.O. xply above.

4 With these information to case may be referred to Public (Ser) dept

Dy Sec to Govt 16.6.32

Public 15.6.32

ASSISTANT SECRETARY TO GOVT 18 JUN 1931 CHIEF

14288

Dy Sec to Govt (Ser) 15.6.32

8. 24

Public (Services) Department.

Please see the petition at pages 3-9 in the current file. The other petn at pp 10-12 is practically identical with the former.

2. The form of the bond executed by them is at pages 5-6 of G.O. No. 2260 Revenue, dated 22-12-20. Under the bond they have to undergo 3 years' training in the Fisheries Training Institute, Calicut, and after completing the course and qualifying themselves at the examination they should serve as teacher for 5 years moreover. In G.O. No. 303, Development, dated 26-2-25, Government directed that the South Kanara stipendiaries might undergo training in the Training School at Mangalore for 2 years before they are taken in the Training Institute at Calicut for the final year course. As there were not sufficient number of teachers for forming a class in Calicut the memorialists were not taken there immediately after their training for 2 years in Mangalore. They were appointed as teachers in 1927 on Rs. 25-1-50 in the scale of pay of Trained teachers. In 1932 they were deputed to Calicut and were paid the stipends only (and not pay) according to the terms of the bond and under G.O. No. 714 Development, dated 16-5-27. They failed in the examination and then they were appointed as untrained teachers on Rs. 20. The petitioners request that they may be exempted from passing the examination or be permitted to draw Rs. 30/- which they were drawing before they were deputed to undergo the third year's training at Calicut until they pass the examination.

It is submitted that they are not entitled to the relief prayed for according to the terms of the bond. They can be appointed as trained teachers only

only after completing the course at the Fisheries Training Institute, Calicut, and after qualifying at the examination.

They were appointed before the Statutory Rules were issued. They can be considered only as probationers as untrained teachers.

The file may be returned to Development.

2/7/34

The memorialists were appointed as teachers in the Fisheries Schools in 1927 before the issue of the statutory rules for the Madras Fisheries Subordinate Service on 24-9-1929. The Dev. Deptt. hav pointed out that before the issue of these rules ther was no restriction as regards the employment of men untrained in the Fisheries Training Institute - see Dev. A.S's note on p.25 of G.O.No.1160 Dev. dated 27-8-1932. In fact before the issue of the rules a pass in the third year course of the Fisheries Training Institute was not insisted on for confirmation of teachers. The Dev. Deptt. have definitely stated that pupils who completed two years' training at Mangalore were confirmed as teachers without any further training in the Fisheries Institute - see pp 4-5 ante. In the present case the memorialists were appointed in 1927 and continued in their appoint ments for 5 years till 1932. They should be deemed to have completed their probation and to have become entitled to confirmation. The statutory rules which came into force on a later date should not affect th to their prejudice.

Flag'(R)

2. It is suggested on the bottom of p.8 ante that the memorialists are not entitled to any relief according to the terms of their bond. I do not quite see how the bond affects the point in issue. The bond regulates only the conditions of training in the Fisheries Schools before employment as teachers and does not regulate their conditions of service when they are appointed as teachers - see the copy of bond at pp 5-6 of G.O.No.2260 Revenue, dated 22-12-1920. Flag (N). The memorialists were appointed as teachers before the issue of service rules and continued as teachers for over 2 years after the issue of the rules and have earned 5 increments in the scale of Rs.25-1-50. In the circumstances they cannot now be reduced to a pay of Rs.20 except as a punishment. There is no question of punishment in this case. I venture to think xx the petitioners are entitled to confirmation in the post they have been holding since April 1927.

CS I agree with S.S.

Dev Dept.

Do A.S.

Please see the Public (Ser). dept'o above.

2. A draft order is submitted for approval which may be circulated.

A.M.3

18.1.34

D.2476 II

Sectt. Fl-5 (b)

27 Dev. DEPARTMENT.

34

	Date	Initials
When received for Fair-copying.	13/2/34	
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

Fisheries - Memorials - Teachers - C.Thaniappa and T.Muthappa - Orders passed.

READ AGAIN G.O. No. ....., dated 19

" " " " ..... " 19

READ ALSO :—

C. No 809-II/34 From the D.F. Ref No 215-C/34 dated 26-2-34 19 (with memorials) CK

" " ..... " " ..... " ..... " 19

" " ..... " " ..... " ..... " 19

ORDER.

MS.

No. 1065, dated 28.7. 1934

The Government observe that the memorialists were appointed as teachers in the Fisheries schools in 1927 before the issue of the Statutory Rules for the Madras Fisheries Subordinate Service on 24-9-1929 and continued as teachers for over 2 years after ~~the issue of the Statutory Rules~~ the issue of the Rules. They have earned ~~five~~ four increments in the scale of Rs.25-1-50. Before the issue of the Statutory Rules there was no restriction as regards the employment of men not trained in the

Fisheries Training Institute, Calicut, and ~~Pupils~~ Teachers who completed two years training at Mangalore have been confirmed in the past without any further training at the Fisheries Training Institute. The Madras Fisheries Subordinate Rules came into force subsequent to their appointment and the provisions ~~Statutory Rules which came into force at~~ laying down qualifications for teachers post etc applicable only to candidates a later date should not affect them to appointed subsequent to the coming into force of the Rules but do not their prejudice. The memorialists can not therefore be reduced to a pay of Rs.20 permensem except as a punishment and there is no question of punishment in this case. The Government ~~therefore consider~~ accordingly direct that the memorialists ~~should~~ be confirmed in the posts they have been holding since 1927 and ~~should~~ they should be allowed to draw ~~pay in the~~ the pay in the old scale with effect from the date of rejoining their appointments after training in the Fisheries Training Institute.

To the D.F.
" A.G

RR 25.7

RR 25.7